



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
MICHAEL YANOTTI,

Petitioner,

-against-

UNITED STATES OF AMERICA

Respondent.
-----X

SHIRA A. SCHEINDLIN, U.S.D.J.:

The above-captioned motion to vacate, set aside, or correct sentence by a person in federal custody, brought pursuant to 28 U.S.C. § 2255, was filed on March 22, 2010. After examining the motion, I have concluded that it should not be summarily dismissed. Accordingly, it is hereby

ORDERED, that the Clerk of the Court serve copies of the motion, attached papers and memorandum of law, and this Order by certified mail upon the United States Attorney for the Southern District of New York and it is further

ORDERED, that respondent file an answer to the motion within sixty (60) days of the date of this Order. It is further

ORDERED, that should petitioner wish to file a reply to respondent's answer, such reply shall be filed within 15 days of the receipt of the answer and served upon respondent's counsel.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
April 15, 2010

- Appearances -

For Petitioner:

Seth Ginsberg, Esq.
225 Broadway, Suite 715
New York, NY 10007
(917) 885-3375

For Respondent:

Preet Bharara
United States Attorney
Southern District of New York
One Saint Andrew's Plaza
New York, NY 10007
(212) 637-2200